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January 13, 2022

VIA ECF

Honorable John G. Koeltl, U.S.D.J.
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St.
New York, New York 10007-1312

Re: *Bionpharma Inc. v. CoreRx, Inc.*
Civil Action No. 1:21-cv-10656

Your Honor:

This firm represents the Defendant CoreRx, Inc. ("CoreRx") in this action. We write in accordance with Your Honor's Individual Practices, Rule I(E) to request that the hearing on Bionpharma Inc.'s ("Bion") motion for preliminary injunction be adjourned one week to **January 25, 2022.**

Unfortunately, the lead attorney on this matter, Peter Russ, has contracted Covid-19 and is currently not well. The hearing on the motion for preliminary injunction is presently scheduled for Tuesday, January 18, 2022. This is the first request from CoreRx to adjourn the hearing date.

CoreRx has conferred with Bion, and while Bion generally consented to an adjournment, it refused to consent to the submission of the request today. Rule I(E) of Your Honor's Individual Practices require at least 48 hours' notice of an adjournment. As you are aware, Monday, January 17, 2022 is a holiday and the Court will be closed. CoreRx submits this request today to provide the Court with as much notice as possible, and as required, to reschedule the hearing. While we have been monitoring Mr. Russ' condition on a daily basis, and provided Bion with daily updates, it is important to note that Covid-19 is a serious and potentially fatal illness and full recovery does take some time. CoreRx submits that a one-week adjournment will provide sufficient time for Mr. Russ to obtain the rest that he needs to recover and adequately prepare for the hearing.

Bion requested to include the following statement of its position in our letter: Bion would of course consent to an adjournment if necessary for health reasons, but requested that CoreRx wait until tomorrow (Friday, January 14) to see if Mr. Russ is on the mend, such that an

ADJOURN-60 TO TUESDAY,
JANUARY 25, 2022,
AT 9:30AM.

SO ORDERED.

[Signature]
1/13/22 ✓ S O ✓

January 13, 2022

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adjournment might not be required at all. Bion also requests that an adjournment be less than a full week, such as adjourning to the end of next week (January 20 or 21 if the Court's schedule permits), and notes that the hearing is scheduled telephonically, such that no travel or appearance is required.

Despite Bion's position, CoreRx submits that it has demonstrated extenuating circumstances that warrant a brief one-week extension. Accordingly, CoreRx respectfully requests that the hearing be adjourned to January 25, 2022 if the Court's schedule permits. We greatly appreciate the Court's attention to this matter.

Respectfully submitted,

Jacqueline M. Weyand

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JMW

CC: Counsel of record.